



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 053969/0130

#4
S-1
10-07-3

Applicant: Ken KASAGI

Title: SHORT RANGE RADIO CONTINUOUS COMMUNICATION
METHOD AND SYSTEM

Serial No. 09/975,004

Filed: October 12, 2001

Examiner: Unknown

Art Unit: 2681

RECEIVED

SEP 30 2003

Technology Center 2600

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-SB08 is a list of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any documents which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Korean Office Action that issued August 13, 2003 with respect to a counterpart Korean patent application is provided below.

"The results of the review of this application show that there are the following reasons for rejection and therefore, such is notified based on Article 63 of the Patent Law. Opinions or necessary revisions regarding this must be submitted by an opinion letter {Attachment 25-[illegible] Form of the Patent Law Enforcement Rules} and/or revision letter {Attachment 5 Form of the Patent Law Enforcement Rules} within the above stated submission time period. (Applications to extend the above time

period may be made one month at a time, but a separate approval notification for the time period extension will not be provided.)

{Reasons}

The invention stated in Claims 1 through 9 of the Scope of Patent Claims for this application is regarding a narrow spectrum wireless serial communications method (DSRC) and system for supporting an intelligent traffic system. In particular, it is regarding the technical means of resolving communications for achieving this such that frames sent through roadside antennas are received. However, when compared to the technical resolution means described in the method of transmitting for reception and verification in single frame units in order to receive and verify the frames received from the roadside antenna and process the data in the DSRC communications method of Korean Patent Publication No. 2000-0056043 (Sep. 15, 2000, hereinafter referred to as cited invention), it can be seen that both have practically the same objective and results, and the core technical means of achieving it are nearly the same in that they receive and verify the DSRC communications method in frame units. Therefore, the invention of this application is something that could have easily been invented by someone having knowledge of the field of this invention based on the above cited invention, and therefore, based on Article 29, Paragraph 2 of the Patent Law, a patent cannot be granted.

Attachment 1

Korean Patent Publication No. 2000-0056043, 1 copy."

Applicant's statements regarding the Korean Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Korean Office Action.

Applicant respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

September 29, 2003

Date

Phillip J. Articola
Phillip J. Articola
Registration No. 38,819

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5300
Facsimile: (202) 672-5399